



Security Council

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Letter dated 26 February 2010 from the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), I have the honour to refer to my letter dated 29 January 2010 and, in accordance with paragraph 9 of Security Council resolution 1810 (2008), I transmit herewith the programme of work of the Committee for the period from 1 February 2010 to 31 January 2011 (see annex).

I would appreciate it if you would bring this letter and its annex to the attention of the members of the Security Council and have them circulated as a document of the Council.

(Signed) Claude Heller
Chairman

Security Council Committee established pursuant to
resolution 1540 (2004)

Annex

Programme of work of the Security Council Committee established pursuant to resolution 1540 (2004) from 1 February 2010 to 31 January 2011

The ninth programme of work of the Committee established pursuant to resolution 1540 (2004) covers the period from 1 February 2010 to 31 January 2011. The Committee has agreed on the following work programme to fulfil its responsibilities under Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008).

The Security Council, in its resolution 1810 (2008), decided that the Committee should continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) through its programme of work, which includes the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation, and which addresses in particular all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such export and trans-shipment.

The Security Council, in its resolution 1810 (2008), further decided that the Committee would submit to the Council a report no later than 24 April 2011 on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements. This work programme constitutes part of the work towards that end.

This programme of work also takes forward action on the key findings and recommendations of the Committee's comprehensive review of the implementation of resolution 1540 (2004), as set out in S/2010/52.

The Committee will continue to work with Member States on the implementation of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008), guided by the principles of transparency, equal treatment and consistency in approach.

The Committee will focus its attention on, but not limit it to, five main areas of work:

1. Taking forward the recommendations of the comprehensive review of the status of implementation of resolution 1540 (2004)

The Committee will:

- consider, as appropriate, improving the 1540 matrix and assistance templates in order to make them more user-friendly, taking into account the relevant suggestions proposed by member states during the comprehensive review
- Encourage its members to consider including experts from capitals in meetings discussing topics of high priority for Member States and consider the idea of holding meetings on a more regular basis
- Continue its efforts to ease the transition of new non-permanent members to the Committee, and maintain the network of non-permanent members leaving the Committee to support implementation of the resolution.
- Continue to raise awareness about the multilateral treaties whose aim is to prevent the proliferation of, or eliminate, weapons of mass destruction so as to contribute to their universality
- Take forward other recommendations of the comprehensive review in the specific areas as detailed in areas 2 to 5 below.

2. Increasing its knowledge by examination of the information on the status of implementation of resolution 1540 (2004), including through:

Encouraging more Member States to report and encouraging all Member States to share additional information

The Committee will:

- Redouble its efforts, including by correspondence, informal meetings with regional groups and other outreach activities, as well as through the development of mechanisms of cooperation with non-reporting States including technical assistance, to get States that have not yet submitted their first reports to do so without further delay, with special attention to regions with the lowest reporting rates
- Research publicly available websites of Governments and international organizations in order to identify legislation and other measures for States that have yet to report and, in an effort to encourage them to prepare and submit their first report, share that information with those States in the form of a matrix

- Continue examining incoming first or subsequent reports from States and make available to them the findings of the examination along with requests for clarification or for updates on relevant legislation and enforcement measures, and encourage States to strengthen their efforts in sharing information with the Committee on all aspects of enforcement
- Gather information on inter-agency cooperation, enforcement activities, voluntary implementation planning and timeline data with a view to improving the Committee's understanding of national implementation measures in accordance with resolution 1540 (2004)
- Redouble its efforts to encourage and assist States that submitted a first report to provide additional information as an ongoing process
- In line with the requirements of paragraph 10 of resolution 1810 (2008), address all aspects of resolution 1540 (2004), in particular all aspects of paragraphs 1, 2 and 3, including the aspect of developing and maintaining efforts in implementing resolution 1540 (2004) in accordance with national legal authorities and legislation and consistent with international law
- Continue to maintain and update matrices for reporting States, including posting to the Committee's website and taking into account additional information received from States
- Undertake further examination in areas where the initial examination of reports revealed gaps in information or implementation related to all aspects of the resolution encompassing all measures required, for each type of weapon, or their respective means of delivery, and for the materials related to them, including amending the matrices where helpful
- Undertake consideration of the obligations and requirements under resolutions 1540 (2004), 1673 (2006) and 1810 (2008), based on examination by the experts, to identify areas for further work by the Committee
- Continue identifying, in its future work on examination of the national reports, national practices in implementing resolution 1540 (2004) that might be used in providing further general and specific guidance, upon request, to States seeking assistance in implementing the resolution
- Consider how it can make the Committee legislative database more user-friendly, regularly update and expand it, as appropriate, and encourage States to make appropriate use of the background information provided through it
- In line with the requirements of paragraph 4 of resolution 1810 (2008), encourage States to prepare on a voluntary basis summary action plans, with the assistance of the Committee established pursuant to resolution 1540 (2004) as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004)

3. Outreach, dialogue, assistance and cooperation to promote implementation of all aspects of resolution 1540 (2004), including through:

(i) Continuing to organize and participate in outreach events at the regional, subregional and, as appropriate, national level, engaging actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned, and liaising on the availability of programmes which might facilitate the implementation of resolution 1540 (2004)

The Committee will:

- Maintain transparency as an important objective of the work of the Committee. In this regard, the Committee will further interact on a regular basis with States Members of the United Nations and will regularly update its website
- Increase its interaction with the entire United Nations membership, including, where appropriate, through open meetings
- Publish on the Committee's website the calendar of outreach events and workshops conducted, sponsored, or co-sponsored by the Committee or Member States; abridged summaries and trip reports of outreach events and workshops conducted, sponsored, or co-sponsored by the Committee or Member States; and a list of frequently asked questions about the work, membership, Chair, coordinators, panel of experts, implementation, etc.
- With the assistance of its experts, produce and update regularly, at least monthly, a forward calendar of outreach events that covers periods of at least six months into the future, taking into account the importance of coordination with the outreach activities of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999)
- Continue to brief the Security Council and the Member States formally and informally about the work of the Committee and the obligations and requirements of resolution 1540 (2004)
- Consider conducting country-specific visits, with the consent of the States concerned, including where appropriate workshops to delve deeper into understanding the challenges of national implementation
- Make use of the meetings of international, regional and subregional organizations and other arrangements to address the obligations of States to implement resolution 1540 (2004) fully, and invite representatives of those organizations to participate in Committee-sponsored meetings and workshops

- As appropriate, consider the usefulness of establishing and working with rosters and networks of experts inside and outside the United Nations system
- as appropriate, raise awareness and develop appropriate ways to work with and inform industry and the public regarding the obligations derived from laws related to resolution 1540 (2004) that have been adopted by States
- Play a full part in regional seminars and events that raise awareness and promote implementation of resolution 1540 (2004) and increase efforts to raise awareness among parliamentarians and other high-level decision makers
- Encourage States to promote dialogue and cooperation, including with civil society, academia and industry, to address the threat posed by illicit trafficking in nuclear, chemical or biological weapons and their means of delivery, and related materials
- As awareness of the requirements and obligations of resolutions 1540 (2004), 1673 (2006) and 1810 (2008) grows, focus more on outreach towards the development of the capacity of Member States to implement these requirements and obligations

(ii) Tailored dialogue with States and groups of States about full implementation of resolution 1540 (2004)

The Committee will:

- Pursue an ongoing dialogue with States on the implementation of all aspects of resolution 1540 (2004), including on further actions needed from States and on technical assistance needed and offered
- As part of that dialogue, respond to specific requests by Member States to help to identify priorities in the process of national implementation of resolution 1540 (2004) in full
- Maintain dialogue with States in order to identify gaps in their legislative framework and their enforcement measures and, if requested, assist them to develop road maps or plans of action for addressing remaining measures to be taken to implement the resolution fully
- Continue the dialogue with States on the basis of their matrices endorsed by the Committee in order to examine the implementation of the resolution

- Widen and intensify regional and subregional outreach activities with a view to providing, on the specific request of a State or a group of States, in a structured manner, guidance to that State/those States to implement their obligations under resolution 1540 (2004)
- Harmonize, where appropriate, or adjust its outreach activities to meet the needs of individual States
- Encourage States in particular regions or with similar national priorities to share lessons learned and good practices
- Provide its representatives who are participating in dialogue and outreach activities with the best available information about the status of implementation, identified gaps, assistance needs and donor capabilities in advance of those members' and experts' participation in dialogue and outreach
- Encourage groups of States facing similar challenges to reporting or to national implementation to work together, allowing each of them to submit national reports and fulfil their obligations
- Encourage, and where appropriate, assist States to integrate their implementation of resolution 1540 (2004) obligations with the pursuit of broader national objectives convergent with the resolution
- Take account of the finding of the comprehensive review that areas where States have adopted fewer measures include biological weapons, means of delivery, national control lists and access to related materials and financing of prohibited or illicit proliferation activities
- Make particular efforts in regions where States, on average, have taken relatively few measures to implement the resolution and with non-reporting States, including provision of necessary technical assistance, upon their request, which could facilitate the submission of their first reports

(iii) Encouraging States that have requests for assistance to convey them to the Committee established pursuant to resolution 1540 (2004)

(iv) Continuing to strengthen the Committee's role in facilitating technical assistance for implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, or other information submitted to the Committee

The Committee will:

- Consider holding events to bring together those offering and seeking assistance for the implementation of resolution 1540 (2004)
- Conduct more analyses of the requests, offers, and related assistance programmes to develop effective matching strategies
- Create a comprehensive table, which will include all the instruments already developed by the Committee that facilitate delivery of technical assistance

(v) Urging States and international, regional and subregional organizations to inform the Committee, as appropriate, of areas in which they are able to provide assistance (see appendix A)

The Committee will:

- Process incoming assistance requests within one week of receipt
- Continue, with the assistance of its experts, to act as a clearing house, including by collecting up-to-date information on the issue of assistance and by informally contacting States to enquire whether they might be interested in receiving information on offers of and requests for assistance, and to promote assistance in close consultation with the States concerned
- Strengthen its clearing-house role by playing a similar role with respect to assistance provided by international, regional and subregional organizations, as appropriate
- Coordinate assistance requests to help States, international, regional and subregional organizations offering assistance to work together with States that need such assistance
- Seek to promote exchanges of information and dialogue among States on assistance, including continuous updates to and otherwise maintaining the database on offers of assistance by States and international organizations and the database on requests for assistance by States
- Encourage States to make appropriate use of the background information provided through the legislative database developed by the Committee as well as legislative advice provided by international, regional and subregional organizations, when enacting national implementation laws and measures
- Continue to promote sharing of national experience and lessons learned, inter alia with a view to providing further general guidance, upon request, to States that are seeking assistance in implementing resolution 1540 (2004)

- Enhance its cooperation with international organizations and develop ways of operating with those organizations on a case-by-case basis, reflecting the variation in each organization's capacity and mandate, with the assistance of proposals from the experts
- Provide, upon request, information to Member States and international organizations to help them to make more effective offers of or, where appropriate, requests for assistance respectively towards implementing obligations under resolutions 1540 (2004), 1673 (2006) and 1810 (2008), using the matrix as a reference tool for facilitating technical assistance
- Provide all States that have offered assistance and, upon request, other international, regional and subregional organizations, with regular updates on assistance requests
- Seek States' consent, as appropriate, to share the matrix the Committee has prepared on their implementation of resolution 1540 (2004) with potential donor States and organizations so that potential donors that do not have access to such information could be better informed about States' implementation of resolution 1540 (2004)
- As appropriate, organize meetings of prospective States that have offered assistance and/or international, regional and subregional organizations to share information about ongoing assistance, highlight perceived gaps, and coordinate assistance programmes while eliminating conflicting elements among them
- Encourage States to make use of the assistance programmes offered by the Organization for the Prohibition of Chemical Weapons, the International Atomic Energy Agency (IAEA) and other international organizations
- If specifically asked, help States to prepare their requests for assistance
- Explore with States and international, regional and subregional organizations experience-sharing and lessons learned which are relevant to resolution 1540 (2004), and the availability of programmes which might facilitate implementation of the resolution
- Call upon States and such organizations, if they have not done so previously, to provide the Committee with a point of contact for assistance
- Consider regional approaches to assistance needs and efforts to meet them, including assistance requests made through regional organizations, or jointly by States members of Customs unions or free trade zones

4. Enhancing ongoing cooperation between the Committee and other international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001), respectively

The Committee will:

- Expand both formal and informal working relationships and, as appropriate, institutionalise its cooperation with international non-proliferation mechanisms, other United Nations bodies, the G-8, regional and subregional organizations and nuclear-weapon-free zones where applicable in order to facilitate the sharing of information on good practices and lessons learned, to develop and implement standards, and identify assistance requirements and programmes whereby its work with regional and subregional organizations should focus on facilitating the interaction of regional and national institutions to remedy national implementation challenges, such as reconciling priorities, harmonizing approaches, facilitating advisory and drafting services, and matching requests and offers of assistance
- Enhance information-sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to all three Committees, as appropriate
- Continue to participate in the joint briefings to the Security Council

5. Encouraging and taking full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004); making more effective existing funding mechanisms

The Committee will:

- Use the Trust Fund for Global and Regional Disarmament Activities to move forward with projects and activities immediately
- Promote this Fund through active public diplomacy
- Consider how to make more effective use of the Fund and other existing mechanisms, including the consideration of the establishment of a voluntary fund
- Streamline the assistance-request process within the Office for Disarmament Affairs and the Committee

- Convene meetings with partners who have available assistance programmes under resolution 1540 (2004)

Implementation of the programme of work

In order to implement the ninth programme of work more efficiently, and for the work of the experts to be more clearly and effectively directed, the Committee will operate a system of working groups, open to all members of the Committee established pursuant to resolution 1540 (2004). The working groups will focus on important and recurring issues. In addition, the Committee will establish a meeting schedule that strives to meet its objectives efficiently and promptly. Such a schedule will then include periodic feedback by working groups responsible for monitoring progress on:

- (i) Monitoring and national implementation;
- (ii) Assistance;
- (iii) Cooperation with international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001);
- (iv) Transparency and media outreach.

All working group meetings will be open to all Council delegations and announced to all Council delegations, and the documents will be circulated to all Council delegations prior to meetings. The work will be organized in a coordinated manner in order to ensure that all delegations, regardless of size, would be able to participate fully in all their activities.

These arrangements are detailed in appendix B, which constitutes a portion of the work programme.

Appendix A

Decision on requested assistance (dated 9 July 2007; S/AC.44/2007/CN.45/Add.1)

The Committee will work with States that have requested assistance to develop a template for requesting assistance specifying the type, subject, scope and modalities of the required assistance. This dialogue with States would culminate in sending a standard letter and template, both as approved by the Committee, to all those States which have already requested assistance in their national reports, explaining the clearing-house role of the Committee and requesting the country to nominate a point of contact or relevant assistance manager.

Decision on assistance offers (dated 20 July 2007; S/AC.44/2007/CN.46/Add.2)

The Committee will work with all those States that have offered assistance to ensure that further details, as available, of such offers or programmes are posted on the Committee's website. This dialogue will be facilitated by seeking more detailed information through a standard letter and template, both as approved by the Committee, from those (as listed on the Committee's website) who have already offered assistance, or who will do so in future.

Decision on procedures on receiving assistance requests (dated 9 July 2007; S/AC.44/2007/CN.45/Add.1)

The Committee will work with the experts in undertaking the following procedures for its work when receiving technical assistance requests:

- (a) All requests should receive an acknowledgement reply from the Chair of the Committee (a standard letter thanking them for their interest; suggesting direct dialogue with the experts on the specifics of what they need; attaching, as appropriate, an assistance template, currently under consideration);⁴¹
- (b) Such dialogue with the country concerned would aim to refine the request in line with the needs identified in the matrix; and also bring to the attention of the requesting country any assistance programmes for which it might be eligible (for example, from organizations such as the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the World Customs Organization);
- (c) Requests in the form of a brief summary, as approved by the requesting State, would be made available on the website of the Committee in its clearing-house role, with more detailed requests to be made available to States that have offered assistance.

**Decision on identification of lessons learned and good practices (dated 26 July 2007;
S/AC.44/2007/CN.46/Add.3)**

The Committee will seek to identify and, where requested, help to advise on through its experts, sets of lessons learned and good practices for delivery of assistance to States to fully implement the resolutions. This will be done on the basis of information obtained from States (both recipients and donors) and relevant international, regional and subregional organizations.

Appendix B

Arrangements for a system of working groups to support the ninth programme of work of the Security Council Committee established pursuant to resolution 1540 (2004)

1. Monitoring and implementation

This working group will monitor progress on parts 1 and 2 of the ninth programme of work, including follow-up work on the comprehensive review and overseeing the status of implementation:

- Explore and execute more effective ways of obtaining missing information
- Make any recommendations deemed necessary for the revision of matrices
- Assume the responsibilities and authorities of the three subcommittees, which shall not meet for the period of this programme of work
- Consider what methodologies might be appropriate to produce quantitative measures of success within the terms of resolutions 1540 (2004), 1673 (2006) and 1810 (2008)
- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting

2. Assistance

This working group will monitor progress on parts 3 (ii-v) and 5 of the ninth programme of work, including the following:

- Organize work, as appropriate, at regional and subregional levels to help to achieve these objectives
- Process incoming assistance requests in the light of the enhanced clearing-house role of the Committee, which now includes matching requests with offers
- Recommend shared experiences to enhance coordination among States offering, or considering offering assistance
- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting
- By 31 December 2010, submit a report to the Committee on what has been accomplished, what has worked, and what has not worked

3. Cooperation with international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001)

This working group will monitor progress on part 4 of the ninth programme of work, including the following:

- Lead work with the other Committees, their experts and monitoring teams, to expand the common strategy on reporting
- Work with the other Committees, their experts and monitoring teams, to develop a more coordinated approach to subregional workshops, in line with paragraph 36 of resolution 1822 (2008), and within respective mandates
- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting

4. Transparency and outreach

This working group will monitor progress on part 3 (i) of the ninth programme of work, including the following:

- Consider and seize opportunities for industry and media outreach that would complement and support the work of States, which, by paragraph 8 (d) of resolution 1540 (2004), are called upon "to develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws"
- Consider and seize opportunities, as appropriate, for direct interaction with relevant industries and industry groups, academia and civil society
- Identify opportunities to highlight the threat of weapons of mass destruction falling into the hands of non-State actors
- Report to the Committee after each meeting

Each working group will be chaired by a member of the Committee, supported by the staff of the Office for Disarmament Affairs, the expert staff of the Committee established pursuant to resolution 1540 (2004) and its secretariat, as necessary.